

EASTERN DISTRICT COURT

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AUG 25 2000

DAVID HALLAND, CLERK

INSURANCE COMPANY'S ANSWER

American”) submits this Answer to the Defendants’ Original Third-Party Petition and states:

ANSWER

1. With respect to the allegations in paragraph I, United American admits, on information and belief, that Defendants/Third-Party Plaintiffs are Texas corporations, and that it has been served with process in this action. United American further states that it lacks sufficient knowledge or information to form a belief as to the truth or falsity of the remaining allegations, and therefore denies them.

2. With respect to the allegations in paragraph II, United American states that: 1) Plaintiff's Original Petition speaks for itself; 2) it is without sufficient knowledge or information to form a belief as to the truth or falsity of Plaintiff's allegations; and 3) Defendants/Third-Party

Plaintiffs' Original Answer speaks for itself, but the allegations are so vague and ambiguous that United American lacks sufficient knowledge or information to form a belief as to their truth or falsity.

3. United American states that the allegations in paragraph III are so vague and ambiguous that United American is unable to form a belief as to the truth or falsity of the allegations and therefore denies them.

4. United American states that the allegations in paragraph IV are so vague and ambiguous that United American is unable to form a belief as to the truth or falsity of the allegations and therefore denies them.

5. United American states that the allegations in paragraph V are so vague and ambiguous that United American is unable to form a belief as to the truth or falsity of the allegations and therefore denies them.

6. United American denies that Third-Party Plaintiffs are entitled to any of the relief requested in their prayer.

7. United American denies all allegations not specifically admitted.

AFFIRMATIVE DEFENSES

8. Plaintiffs' action, for which Defendants/Third-Party Plaintiffs are seeking contribution and indemnity, is not properly maintainable as a class action as the requirements for a class action are not met.

9. Plaintiff's and Defendants/Third-Party Plaintiffs' claims herein fail to state a claim upon which relief can be granted and therefore should be dismissed.

10. Plaintiff's and Defendants/Third-Party Plaintiffs' claims herein are barred by the applicable statutes of limitations and should be dismissed.

11. Plaintiff's and Defendants/Third-Party Plaintiffs' claims herein are barred by the doctrine of waiver and estoppel and should be dismissed.

12. United American pleads such other affirmative defense which cannot be anticipated at this time, but which may become apparent and applicable during the pendency of this lawsuit, by reason of future discovery and by reason of allegations and answers of other parties. United American specifically reserves the right to amend its answer in order to respond accordingly and to respond to any amended third-party petitions which may be filed.

13. Defendant/Third Party Plaintiffs' claims are barred by the Doctrine of Accord and Satisfaction.

14. Defendant/Third-Party Plaintiffs' claims have been satisfied.

15. Defendant/Third-Party Plaintiffs' claims are subject to and/or barred by the terms of any relevant and applicable contracts or agreements.

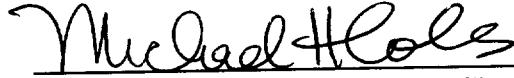
PRAYER

16. United American Insurance Company respectfully requests the following relief:

- (a) that Third-Party Plaintiffs take nothing on their claim against United American;
- (b) that United American be dismissed with prejudice and awarded its costs of court;
- (c) that United American have all such other and further relief, both general and special, at law and in equity, to which it may show itself justly entitled.

Respectfully submitted,

LOCKE LIDDELL & SAPP LLP



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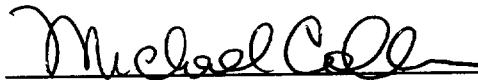
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**ATTORNEYS FOR UNITED AMERICAN
INSURANCE COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August 2000, a true copy of the foregoing Answer has been forwarded to all counsel of record via certified mail, return receipt requested.



Michael H. Collins